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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 17, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred by sub-section (2) of section 330 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Notification in S.O. No. 2506 (E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry, hereby declares that the list of documents as mentioned in sub-section (1) of section 330 of the Act shall be prepared in the manner and format as under:

"FORM OF LIST OF DOCUMENTS"

In the Court of
District Case Type No.
FIR No. of 20..... (Year) under section
Police Station v/s on DD/MM/YYYY

Sl. No.	Description of the document	Date of the document, If any.	Action taken on the document				
			Whether admitted by the defence/prosecution	If admitted, the exhibit mark affixed on the document	Whether disputed by the defence/Prosecution	If disputed, whether intended to be proved under normal procedure of Examination/Cross examination of witnesses.	Remarks/ Order of the Court if any

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 18, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred under section 303 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Notification in S.O. No. 2506(E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry, is pleased to pass the order that, whenever any accused is found to be a hardcore criminal involved in terrorist activities, or member of gangs committing heinous crimes, or the arrest of any other accused likely to disturb the public order and tranquility, he/they shall not be removed from the prison in which he or they may be confined or detained for the purposes of trial or for any other proceedings.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 19, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred by sub-section(8) of section 356 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Notification in S.O. No. 2506 (E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry, is pleased to extend the provisions of trial in absentia as enumerated in section 356(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to

the cases under sections 74, 75 to 78 and 79 of the Bharatiya Nyaya Sanhita, 2023; offences under sections 316(2) to 316(5), 318(4) of the Bharatiya Nyaya Sanhita, 2023; offences under section 178-182 of the Bharatiya Nyaya Sanhita, 2023; offences committed under the Narcotics Drugs and Psychotropic Substances Act, 1985 irrespective of the recovered quantity of contraband as to whether the same is small quantity or of intermediate quantity; any of the offences committed under the Arms Act, 1959; offences committed under sections 8, 10, 12, 14, 15, 17 and 18 of the Protection of Children from Sexual Offence Act, 2012; any of the offences committed under Chapter-III, under section 38-40 of Chapter-VI, Unlawful Activities (Prevention) Act; any of the offences committed under the Information Technology Act, 2000; and offences committed under sections 76 to 81, 83 and 84 under the Juvenile Justice (Care and Protection of Children) Act, 2015.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 21, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred by sub-section(1) of section 152, section 162 and sub-section (1) of section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O. No. 2506(E), dated 28-06-2024, the Lieutenant-Governor, Puducherry, is pleased to empower the following Magistrates to conduct proceedings related to removal of public nuisance under section 152 to 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023).

1. District Magistrates;
2. Subdivisional Magistrates;
3. Tahsildars within their Jurisdiction Taluk.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 22, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred by sub-section (5) of section 187 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O. No. 2506(E), dated 28-06-2024, the Lieutenant-Governor, Puducherry, is pleased to notify that no person shall be detained otherwise than in Police Station under Police custody or in prison under Judicial custody. Whereas, in case of a situation where large number of person are to be apprehended/arrested in view of any preventive action

to maintain law and order situation and it becomes necessary to arrest those persons to handle such situation effectively and such number of large persons cannot be conveniently or safely be kept in Police Station or in the prison, detention can be done in any place declared as prison by the Central Government or the State Government.

2. In such situation, all the Investigating Officers, Officer-in-Charges of Police Stations and concerned Superintendent of Police are directed to such Officer shall make a request to, the State Government to declare a place as prison for detaining a person as specified under second proviso of sub-section 5 of section 187 of Bharatiya Nagarik Suraksha Sanhita, 2023.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 23, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise of the powers conferred by section 286 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O. No. 2506(E), dated 28-06-2024, the Lieutenant- Governor, Puducherry, is pleased to notify the Record of Forms for entering the particulars in summary trials by Magistrates as given in Annexure "A".

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

ANNEXURE–A

SUMMARY TRIAL CASE FORM

(As per section 286, Bharatiya Nagarik Suraksha Sanhita, 2023)

1. Case Details:

- (a) Case Serial Number :
- (b) Name of the Court :
- (c) Name of the Presiding Magistrate :
- (d) Police Station :
- (e) Case Reference Number (FIR/Complaint No) :
- (f) Date of Offence :
- (g) Date of Complaint/Report :
- (h) Mode of Case Institution (Police Report/ Private Complaint/Other). :

2. Complaint Details (if any):

- (a) Name :
- (b) Percentage :
- (c) Address :
- (d) Contact Number :

3. Accused Details:

- (a) Name :
- (b) Percentage :
- (c) Address :
- (d) Age :
- (e) Occupation :
- (f) Contact Number :
- (g) Whether in Custody (Yes/No) :
- (h) Date of Arrest (if Applicable) :
- (i) Whether Legal Aid Provided (Yes/No) :

4. Details of Offence:

- (a) Offence Complained of :
- (b) Offence Proved (if different) :
- (c) Relevant Sections of Law :
- (d) Value of Property involved (if Applicable) :

5. Trial Proceedings:

- (a) Date of First Hearing :
- (b) Plea of Accused (Guilty/Not Guilty) :
- (c) Examination of Accused (Summary of Statements). :
- (d) Evidence Presented :
- (e) Witnesses Examined (if any) :

6. Finding and Decision:

- (a) Finding of Court (Convicted/Acquitted) :
- (b) Sentence or Final Order :
- (c) Details of Fine/Penalty (if applicable) :
- (d) Probation Granted (if applicable) (Yes/No) :

7. Conclusion:

- (a) Date of Conclusion of Proceedings :
- (b) Signature of Magistrate :
- (c) Official Seal :

Additional Notes (if any) :

- (a)
- (b)

Instructions for Use:

1. This form is to be filled by the Presiding Magistrate for all Summary Trial cases.
2. All sections must be completed accurately.
3. If additional Space is required, attach extra sheets with proper referencing.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 24, Puducherry, dated 06th May 2025)

NOTIFICATION

The Lieutenant-Governor, Puducherry, is pleased to notify the following Standard Operating Procedure to be followed by the Investigation Officer for Proclamation and Attachment of the property of proclaimed person. The process to be followed by the Investigation Officer for Proclamation and Attachment of property of any person proclaimed person, shall be as follows:—

2. Proclaimed person is one on whom arrest warrant is issued by the Court and he/she is absconding while concealing his/her identity and the warrant cannot be executed by any means.

3. The Court publishes written proclamation requiring him to appear at a specified place and at a specified time not less than 30 days from the date of publishing such proclamation upon failure of the accused in appearing at the specified place and time, the Court declares him as a person proclaimed.

4. The proclaimed offender is a person who is accused of an offence made punishable with imprisonment of ten years or more or imprisonment for life or with death under the Bharatiya Nyaya Sanhita, 2023 or any other law for time being in force, and if such person fails to appear at a specified place and time required by proclamation, the Court may, after making inquiry declare him as a proclaimed offender.

5. The proclamation shall be published as follows:—

- (i) (a) it shall be publicly read in some conspicuous place of the town or village in which such person ordinarily resides;
- (b) it shall be affixed to some conspicuous part of the house or homestead in which such person ordinarily resides or to some conspicuous part of the Court-house;
- (c) a copy thereof shall be affixed to some conspicuous part of the Court-house.

(ii) the Court may also, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which such person ordinarily resides.

6. As and when the Court declares an offender as a proclaimed person or a proclaimed offender as the case may be the proceedings of the attachment of the property of the concerned person shall be conducted. The Investigating Officer/Station House Officer concerned shall identify the property of the said person by identifying the nature/source of the property and by verifying the title or ownership details of the property, the property includes moveable or immoveable or both.

7. The Court issuing a proclamation under Sanction 84 may, for reasons to be recorded in writing, at any time after the issue of the proclamation, order the attachment of any property, movable or immovable, or both, belonging to the proclaimed person:

Provided that where at the time of the issue of the proclamation, the Court is satisfied, by affidavit or otherwise, that the person in relation to whom the proclamation is to be issued,—

(a) is about to dispose of the whole or any part of the property; or

(b) is about to remove the whole or any part of his property from the local jurisdiction of the Court, it may order the attachment of property simultaneously with the issue of the proclamation.

8. If, the Investigating Officer/Station House Officer concerned during the verification of property finds that the said person is the joint holder of a property in question, then the Investigating Officer shall inform the concerned Court along with the revenue record of the property for obtaining further Orders from the concerned Court.

9. The Investigating Officer shall obtain the Order of the Court and forward the same to the concerned District Collector for the procedure of attachment of the property within their jurisdiction. The Orders of the concerned District Collector regarding attachment of the property shall be collected and be submitted before the concerned Court for further proceedings.

10. When the property of the said Proclaimed person/Offender is found to be situated outside India, the Police Officer not below the rank of Superintendent of Police shall make a request to the Competent Court for initiating process of attachment and forfeiture of property and make a request to the Court to issue a Letter of request to the concerned Country. The said Order of the Court shall be forwarded to the Ministry of Home Affairs or Ministry of External Affairs for further compliance of the Orders of the Court.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 25, Puducherry, dated 06th May 2025)

NOTIFICATION

In exercise the powers conferred by sub-section (11) of Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Government of India, Ministry of Home Affairs, New Delhi, Notification in S.O. No. 2506(E), dated 28-06-2024 and all other powers enabling him in this behalf, the Lieutenant-Governor, Puducherry. is pleased to specify the powers and functions of the Director of Prosecution, the Deputy Director of Prosecution (both at the State Level as well as the District Level) and the Assistant Director of Prosecution as under:—

(1) The Director of Prosecution shall scrutinize the Charge sheets/Police reports in respect of the offences punishable for 10 years or more or with life imprisonment or with death through the Prosecuting Officers working under his control. Further, as the supervisory officer, he may examine/scrutinize any Charge sheet/Police reports in respect of any offence.

(2) The Deputy Director of Prosecution (at the State Level) besides assisting the Director of Prosecution in his official/administrative functioning shall monitor the trial of cases in which offence are punishable for seven years or more, but less than ten years, for ensuring their expeditious disposal and examine the acquittal and discharge reports and orders against the State, submitted to him with the recommendation to file appeal and revision before the High Court and take the decision in that regard, in accordance with Law.

(3) The Deputy Director of Prosecution (District Level) shall be the in-charge of the District and shall examine and scrutinize the charge sheet and monitor the cases in which offences are punishable for seven years or more, but less than ten years, with the assistance of the Prosecuting Officers, for ensuring their expeditious disposal and shall also be responsible for all the proceedings in respect of the offences mentioned above.

(4) The Assistant Director of Prosecution shall scrutinize the Charge sheets/Police reports with the assistance of the Prosecuting Officers, pertaining to all cases wherein, the punishment is less than 7 years and shall also be responsible for all the proceedings in respect of such cases.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 26, Puducherry, dated 06th May 2025)

NOTIFICATION

The Lieutenant-Governor, Puducherry, is pleased to notify the following guidelines to be followed with respect to a complaint against a public servant arising in the course of the discharge of his official duties under sub-section (4) of Section 175 Bharatiya Nagarik Suraksha Sanhita, 2023 namely:

(a) Any Magistrate empowered under Section 210, may, upon receiving a complaint against a public servant arising in course of the discharge of his official duties, order investigation, subject to (a) receiving a report containing facts and circumstances of the incident from the Officer superior to him, and (b) after consideration of the assertions made by the public servant as to the situation that led to the incident so alleged.

(b) This provision provides for the procedure for investigation when a Magistrate receives a complaint under Section 210 of the Bharatiya Nagarik Suraksha Sanhita, 2023 against a public servant. For ordering investigation under sub-section (4) of Section 175 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Magistrate has to comply with the following requirements:—

(i) The Magistrate shall take a report from the superior officer of the public servant against whom a complaint has been made;

(ii) After receiving the abovesaid report, from the superior officer, the Magistrate shall give an opportunity of hearing to the public servant against whom the complaint is filed;

(iii) During this hearing, the Magistrate shall ascertain the facts that has led to the incident so alleged; and

(iv) In support of the assertions, the public servant shall produce evidence including documents, if any, which led to that incident.

(c) After considering the material(s) on record, the Magistrate shall order for investigation, upon satisfaction of the following grounds—

(i) The incident alleged was in connection with the discharge of official duty of the public servant.

(ii) The assertions made by the public servant for the alleged incident are not satisfactory.

(iii) The report given by the superior officer is in tune with the allegations made in the complaint.

(iv) A *prima facie* case is made out.

(v) In case, the Magistrate comes to the conclusion that the ground mentioned above are not fulfilled, he may not order for investigation.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 28, Puducherry, dated 08th May 2025)

NOTIFICATION

In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Notification in S.O. No. 2506(E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry, is pleased to notify that the Secretary to Government, Law Department, shall continue to perform the duties and functions of the Director of Prosecution and shall also perform the functions of the District Directorate of Prosecution for the Karaikal District as prescribed under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, till further orders are issued in this behalf.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

(G.O. Ms. No. 29, Puducherry, dated 08th May 2025)

NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-section (1) of Section 20 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act 46 of 2023), read with the Notification in S.O. No. 2506(E), dated 28-06-2024 of the Government of India, Ministry of Home Affairs, New Delhi, the Lieutenant-Governor, Puducherry, is pleased to notify

that the senior most Assistant Public Prosecutor, posted in the office of the Directorate of Prosecution, Government of Puducherry, shall also perform the duties and functions of the Assistant Director of Prosecution, in addition to his normal duties performed as the Assistant Public Prosecutor in the Directorate of Prosecution in the Union territory of Puducherry as prescribed under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023, till further orders are issued in this behalf.

(By order of the Lieutenant-Governor)

DR. SHARAT CHAUHAN,
Chief Secretary to Government.
